

Minutes
Essex County Planning Commission
Regular Meeting
May 2, 2023
7:00 P.M.

A regular meeting of the Essex County Planning Commission was held on May 2, 2023, at the Essex County School Board Office, Tappahannock, Virginia.

Present:

David Jones – Chairman
Angelo Stevens
Trent Taliaferro
Stephen Walters
Benjamin Scott Mundie
Wright Andrews

Absent:

Jean Segar

Also present:

Rob Hodges – Planning and Zoning Director
Kelly McKnight – Planning and Zoning Office Manager

CALL TO ORDER

David Jones, Chairman, called the regular meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Chairman Jones asked Ms. McKnight to call the roll. A quorum was met.

MEETING AGENDA

Chairman Jones asked if any changes needed to be made to the agenda. Chairman Jones would like to add the planning commission school during the old business.

APPROVAL OF MINUTES

A motion was made and seconded to approve the minutes of the April 4, 2023, Planning Commission meeting. AYES: 6 NAYES: 0 ABSENT: 1

PUBLIC COMMENTS

Mike Terry, 1259 Old Creek Lake Dr. He has property in Dunnsville. His concern is the zoning ordinance if you have undeveloped property, if you don't have a principal structure on a property, you can not put a building on your property. If I buy 25 acres and put a garden on there, I can't put a shed on there to put a mower in, tiller, shovel, tractor, hoe. I have 24-acre recreational property and can't put a building on there for my grandchildren to plan in or nieces or nephews. I can't do anything with the property building wise until I put a principal structure. There is some confusion on principal structure, in my mind I could build a sportsman club, private or commercial, or I can build a stable, private, or commercial. I could build a barn for my goats, but I can't put a building to put my lawnmower in. That is where we are with the ordinances. I don't see if I owned 1,000 acres that I couldn't put a lawnmower shed on it.

Chairman Jones asked if he is asking the planning commission to reconsider the ordinance.

Mr. Terry stated he was.

PUBLIC HEARING

R2300002 & C2300001

Chairman Jones stated that the public hearing is to receive comments regarding Rezoning and Conditional Use Permit request for parcel 36-7-12, in LaGrange Industrial Park. From I-1, Light Industrial to I-2, Industrial per Sections 36.11 and 36.387.

Mr. Hodges stated that we are considering two separate applications for the same parcel. One is a rezoning application that would change the parcel that is currently zoned I-1 to I-2. The second application is for a conditional use permit which is required in the Use matrix in the zoning code to put a junkyard on a piece of I-2 zoned property. The parcel is located across from Essex Recycling and is just under an acre. The current zoning boundary from I-1 to I-2 is that road. Back when they did the original industrial park the Board of Supervisors talked about the light zoning be in the first 600' of the park and the back side of that could be for heavier use. The staff finds that the rezoning from I-1 to I-2 is a reasonable request and is consist with the overall growth and land use policies identified in the County's 2015 Comprehensive plan. The Staff believes the rezoning is in harmony with the surrounding development and uses. And the rezoning should not require any new support services from the County. If the parcel was rezoned and was approved by the Board of Supervisors and if the conditional use permit was approved by the Board of Supervisors, the applicant will still be required to go before the Board of Zoning Appeals for a variance. The current zoning code that junkyards have to have 150' setback before you can have anything and if you apply that 150' setback there is very little room in the parcel left. The other parcels in the cul-de-sac that have junkyards have all been granted that variance by the BZA.

Commissioner Taliaferro asked what the height of the fence would be? Mr. Hodges stated that it would be what ever the code says either 6' or 8'.

Commissioner Mundie stated that the fence is no less than 8’.

Commissioner Taliaferro asked if there would be any other buffer or just the fence? Mr. Hodges said not for the junkyard in the industrial park.

The next piece is the Conditional Use permit, which is required by the zoning ordinance as a use or a junkyard in an I-2 zoned area. On the site plan that Mr. Stokes submitted he lists how he intends to use the parcel where he mentions the maximum number of cars that will be in the parcel and the Maximum amount of time before they are processed and recycled. There is no land disturbance required with this, there is no DEQ review, no VDH review. His requested conditional use facilitates the business he has across the street. The staff recommends the approval for the zoning change and the conditional use permit.

Commissioner Taliaferro asked about E&S plans for the fluids from the junk cars? Mr. Hodges stated that in the conditions of use it talks about how all of the cars will be drained of all fluids before they are placed on the lot and that they would meet all the standards of his lot across the street.

David Stokes, Essex Recycling, 526 Ben Lomond Road. They have been in the recycling business for 42 years; he has either managed or owned it. They have been in the industrial park for 20. He keeps getting called a junkyard, but he is not a junkyard he is a recycler. As soon as everything else comes in it is processed, they do all of the work for DMV. They have an indoor draining facility, oil drain. Once he removes the VIN number the automobile is a piece of steel. It gets ground up and turns into beams in the state of Virginia. They employ five people, cleaned up 6.3 million pounds of stuff last year in Essex County. When Tappahannock burned down, they took care of that and processed every bit of metal that there was. By buy 6.3 million pounds, we buy it, we remove all the material for VPPSA. There are 10,500 people that live in Essex County and his customer roster is 8,800. In doing so we were able to put back a little over a million dollars in the economy in the past two years. He just wants to use the lot as they are getting a little busier.

Commissioner Mundie asked what the standard turn around time is. Mr. Stokes stated that most everything they have will turn around in a week. If they get really busy it may be two weeks but that would be stretching it. No cars would be set there, and no parts would be pulled off of them. It is not a junkyard it is a holding cell for recycling.

Randy Whitaker, Mechanicsville, VA. Has a property in Dunnsville and 2 parcels in LaGrange. We almost across the street from the Stokes. He has run a neat operation, good neighbor, we don’t have a problem with the rezoning or conditional use permit. This service in Essex County is needed. He wanted to show his support for him and anything we can do we would be glad to.

Mr. Walters asked if the conditional use would be restricted to what’s on the site plan? Chairman Jones confirmed.

Chairman Jones stated they would vote on it separately.

Commissioner Taliaferro made the motion to approve the rezoning from an I-1 to an I-2.
Commissioner Stevens seconded. AYES: 6 NAYES: 0 ABSENT: 1

Commissioner Stevens to forward the conditional use permit to the Board of Supervisors for approval. Commissioner Mundie seconded. AYES: 6 NAYES: 0 ABSENT: 1

OLD BUSINESS

Section Five

Pg. 66

- Commissioner Walters asked if we had a future land use plan. Chairman Jones stated he circled that as well. If something is stated as us having and we cannot find it then we will need to develop it.
- Commissioner Walters also asked about developing a circulation system that provides alternate routes for vehicular traffic along local streets. He thinks this would be more for the town because the town would have a way to reroute people. Chairman Jones said the same thing about the second paragraph. It would pertain more to the town.

Pg. 67

- Chairman Jones stated that we do have the map 5-1.
- Commissioner Walters asked if the County's airport that is referenced is the one at Paul's Crossroads. Commissioner Mundie stated that a couple of pages before it says that the airport facilities are located 5 miles west of Tappahannock. Mr. Hodges stated that he gets the ambiguity in that statement. The County does have industrial areas adjacent to the old airport and they have a part zoned industrial next to the new airport. Then they also have LaGrange.

Pg. 69

- Commissioner Taliaferro asked that in the waterways and bridges section with the 2035 long range plan. The 2016 improvement project for Gordon's Mill Rd has been complete but have they done anything with the Piscataway Creek? Chairman Jones needs to get updated information.
- Chairman Jones stated it would be interesting to get the traffic count now verses when they created this document.
- Chairman Jones noted that the PAA, anything that has been upgraded we should say, and any new public access should be listed.
- Commissioner Walters asked if we had a public wharf and the public access? Mr. Hodges believes that there is no county owned public access points for the beach. There is a study right now looking at public access. You have the state-owned ramp at Hoskins Creek, the point at the end of Duke and Prince Street.

Pg. 70

- Chairman Jones stated that Table 5-1 would need to be updated. Commissioner Walters stated it would be interesting to compare this from then to now. Commissioner Andrews stated that the cars coming through the county were around 20-22 thousand. Mr. Hodges stated he could provide the current VDOT traffic numbers.

Pg. 71

- Commissioner Walters stated updating Table 5-2.
- Chairman Jones stated there are some broad statements like in the third paragraph where 'Highways outside of the Town of Tappahannock are currently operating at acceptable levels.'
- Chairman Jones stated they need to see if the 2035 Long Range Plan has been updated.

Pg. 72

- Commissioner Walters stated he would like more thought given to the objectives at the bottom, so they are more clearly written.
- Chairman Jones stated it discusses about a corridor overlay later.
- Commissioner Andrews stated that the town is about to have their comprehensive plan finished and we should probably look at that for the roads as well. Chairman Jones stated he has reached out to the town several times but has gotten no response but will reach out again.
- Chairman Jones also stated that he would like to get someone VDOT to discuss this as well.

Pg. 73

- Commissioner Mundie stated with the more remote work we need to look at how that effects the mass transit as well.
- Commissioner Walters in the top paragraph we need to look at the electric car charging station.
- Chairman Jones stated that the numbers would have to be updated as well as the park and rides to make sure no more have been added. Commissioner Mundie stated they just updated the one at Loretto.

Pg. 74

- Chairman Jones stated that the Implementation area needs to be updated. If there are goals to be updated.

Pg. 75

- Commissioner Walters stated under the Capital Improvement should be updated if we have one. Chairman Jones stated we do have one.

- Chairman Jones stated that the highway corridor overlay needs to be an objective and on our radar screen.
- Commissioner Walters stated that the Transportation Management strategies may be a place for the work from home section.
- Commissioner Stevens stated we should broaden out the alternative modes of transportation.

Chairman Jones asked if they would be good to have Section 6 next month?

Chairman Jones stated that the members by the bylaws should attend and fill the requirements for the certified planning commissioners' program within two calendar years of their appointment. He encourages the members who have not taken it to take that course.

Commissioner Taliaferro asked if the same company that provides the course and material is that the same as 8 years ago? There is a requirement that you take the class, is there alternatives to this class? He asks because there was some disappointment that this group lobbied to get the planning commissions to take the class. Well, they were the only ones that offered it and there was no competition. He just wanted to see if there were other groups that offered it.

Mr. Hodges stated he is not sure about alternatives, but he reached out to the Middle Peninsula Planning district to recommendations for classes for the BZA and the planning commission. He recommended the training that is offered through VCU a couple of times a year.

Chairman Jones asked if everyone has a copy of the bylaws. He would like to review them and correct them.

NEW BUSINESS

none

ADJOURN

Having no further discussion, a motion to adjourn was made and seconded. AYES: 6, NAYES: 0, ABSENT: 1

Chairman